



Date: August 29, 2019

To: Financial Management Services Agencies
Community Living Assistance and Support Services Case Management Agencies and Direct Services Agencies

Subject: Information Letter 19-20
Required Base Wages of Personal Attendants in Consumer Directed Services
Effective September 1, 2019

The purpose of this letter is to provide direction to Financial Management Services Agencies (FMSAs), Consumer Directed Services (CDS) employers and designated representatives (DRs), and Community Living Assistance and Support Services (CLASS) Case Management Agencies (CMAs) and Direct Services Agencies (DSAs) on updating CDS employers' service plans and budgets to accommodate new base wage requirements, effective September 1, 2019.

Rider 45 of the 2020-21 General Appropriations Act provided funding to the Health and Human Services Commission (HHSC) to increase the base wage paid to a "personal attendant" to \$8.11 per hour. HHSC is planning to amend rules in the Texas Administrative Code to describe the new wage requirement, including the persons who must be paid the base wage.

Rate Changes

Effective September 1, 2019, HHSC will increase the reimbursement rates for the following programs and services to support the increased base wage paid to personal attendants:

- Primary Home Care (PHC), Family Care (FC), and Community Attendant Services (CAS);
- Personal attendant services in the Consumer Managed Personal Attendant Services (CMPAS) program

- In-home respite in the CLASS program.

Rates for services subject to the base wage increase in the DBMD, HCS, and TxHmL programs already support a base wage of \$8.11 per hour and are not changing.

Service Plan Revisions

The rate change for services in the programs listed above requires an individual service plan revision. By October 31, 2019, CLASS case managers and HHSC case workers for PHC, FC, CAS and CMPAS will request an updated service authorization with the new rate and an effective date of September 1, 2019, through the remainder of the individual's service plan year.

To initiate the service authorization changes for individuals in PHC, FC, CAS, CMPAS and CLASS, the FMSA must document on [Form 2067](#), Case Information, and submit to program case managers or case workers no later than September 30, 2019, the amount of funds expended by each CDS employer, including allocated funds, from the beginning of the individual's service plan year through August 31, 2019. The CLASS case manager or HHSC case worker for PHC, FC, CAS and CMPAS will then complete a service plan revision.

For CLASS, the CMA will submit service plan revisions to HHSC Utilization Review for authorization by October 31, 2019. For PHC, FC, CAS and CMPAS, HHSC caseworkers will send the new service authorization to the FMSA by October 31, 2019.

Service plan revisions submitted in response to this information letter must only include revisions for this rate change. Revisions that include additional changes to the individual's service plan will be denied.

Base Wage Requirements

Effective September 1, 2019, Financial Management Services Agencies (FMSAs) are required to ensure CDS employers and designated representatives (DRs) budget to pay a base wage of at least \$8.11 per hour to an employee who provides the following:

- PHC, FC or CAS
- CMPAS
- Personal Care Services (PCS)
- Community First Choice Personal Assistance Services/Habilitation (CFC PAS/HAB)
- in the CLASS program:
 - Habilitation (transportation)
 - CFC PAS/HAB
 - In-home respite
- in the Deaf Blind with Multiple Disabilities Program:
 - Residential habilitation (transportation)
 - CFC PAS/HAB
 - In-home respite
- in the Home and Community-based Services (HCS) Program:
 - Supported home living (transportation)
 - CFC PAS/HAB
 - In-home respite
- in the Texas Home Living (TxHmL) program:
 - Community support (transportation)
 - CFC PAS/HAB;
 - In-home respite

CDS Employer Budget Workbooks

Updated budget workbooks are available at: <https://hhs.texas.gov/doing-business-hhs/provider-portals/long-term-care-providers/consumer-directed-services/cds-forms-handbooks>. Both the CDS employer and the FMSA representative must sign a new Consumer Information and Budget Approval page on the "Consumer Information & Approval" tab of each program budget workbook. If there is a change in an employee's hourly wage or change in benefits, the CDS employer must complete a new [Form 1730](#), Wage and Benefits Plan Employee Compensation.

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Required Base Wages of of Personal Attendants in the CDS Option
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For questions about the content of this information letter, contact the CDS mailbox at CDS@hhsc.state.tx.us.

Sincerely,

[signature on file]

Dee Budgewater
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Policy and Program
HHSC Medicaid and CHIP Services